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Hard-working Heroes or Curious Students? - Au pair Positioning, Organizing, and Negotiation¹

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ABSTRACT

The precarious position and poor working conditions of au pairs in the Nordic and other western labor markets are well documented. Furthermore, research on au pairs and migrant domestic workers emphasizes many obstacles to their organizing (e.g., in trade unions) and negotiation to improve their working conditions. Using an ethnographic study of Filipino au pairs in Denmark as an illustrative case, we supplement this previous research by presenting an analytical approach inspired by governmentality studies. This approach highlights the complex transnational interplay of migration policies and practices affecting Filipino au pairs' positioning in the Danish labor market and contributes to exploring how this positioning relates to their prospects for negotiating and organizing. We suggest that with a close examination of the often contradictory and multifaceted positioning of migrant workers in transnational policy fields, not only obstacles but also possibilities for negotiation and organizing to improve working conditions will become visible.

KEYWORDS

Au pairs / migrant domestic workers / governmentality / subjectification / negotiation / organizing

Introduction

Being an au pair was originally an opportunity for young European women to travel to other European countries and get to know a different culture and language, while living with a local family 'on equal terms' in exchange for light housework. However, since its beginning in the late 1960s, the use of the European au pair program has changed markedly. Today, au pairs come from outside Europe, and cultural exchange is no longer the sole purpose of the program – many au pairs and host families view au pairing as work (SFI 2013).

All the Nordic countries have implemented an au pair program. In Denmark, where this article takes its point of departure, stories about work-related injuries, massive overtime work, and abuse of au pairs for inappropriate tasks have been widely reported in the media (e.g., Avisen.dk 2015; TV2 Bornholm 2015; Avisen.dk 2017). Au pairs occupy a precarious position in the Danish labor market, as their work is largely unregulated compared to other workers. The domestic work performed by au pairs in private homes

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is subject to few and unclear rules, and there is no systematic control of their working conditions (Stenum 2010: 67). For example, several surveys among au pairs find that many au pairs work far too many hours (e.g., Stenum 2008; Ugebrevet A4 and Avisen.dk 2010; Stenum 2011; Radio 24syv 2014). Furthermore, occupational health and safety legislation does not apply to au pairs, and they do not receive a salary for their work but are paid through room and board and so-called ‘pocket-money’.

The problems many au pairs experience in terms of poor working conditions, and in some cases even abuse, are related to Danish migration policy and practice toward this particular group of migrants. Au pairs are granted residence permits in Denmark with the aim of ‘cultural exchange’ and are thus not officially considered workers. Instead, they are considered students of Danish culture and language, staying in private homes and participating in domestic chores in exchange (nyidanmark.dk). Consequently, normal standards of remuneration and employee protection, which otherwise apply to migrant workers and Danish nationals alike, do not apply to au pairs. This positioning of au pairs as nonworkers and the poor regulation of the area place au pairs in a weak position in terms of negotiation and organizing to improve their working conditions. However, we will argue that the situation of au pairs is not solely determined by Danish policies and practices. It is also closely related to migration policy and practice in their home countries. As the majority of au pairs in Denmark come from the Philippines, we focus on this group. The Philippines has a long tradition for labor export, and future migrants are socialized to become ‘national heroes’ and ‘ambassadors of goodwill’ representing the nation abroad. This specific socialization promotes a subject position quite far from that of an organized worker negotiating for improved working conditions.

In this article, we present an analytical framework inspired by governmentality studies (see Foucault 1991; Rose 1999; Dean 2010). We argue that this framework provides a novel and useful approach to exploring the complex transnational interplay of migration policies and practices affecting au pairs’ positioning in the Danish labor market and how this relates to their prospects for negotiating and organizing to improve their working conditions. We first present a literature review of previous studies and approaches to the subject, and then present the theoretical grounding of our analytical framework. We then proceed to illustrating the usefulness of this approach, drawing on previous studies and empirical examples from an ethnographic study in the Philippines and Denmark. We close the article with a concluding discussion.

Literature review: migrant domestic workers’ organizing and negotiation of working conditions

Much of the existing literature on migrant workers’ organizing in the Nordic countries focuses on the trade union movement’s responses to immigration and their strategies to organize migrant workers in a Nordic context (e.g., Hardy *et al.* 2012; Bengtson 2013; Friberg *et al.* 2014; Alho 2015). In relation to au pairs, Hansen (2010) has examined how different Danish trade unions see au pairs and what strategies they apply in organizing au pairs. This research provides valuable insights into trade union strategies of inclusion and exclusion, the strength of industrial relations in the Nordic countries, and the problems trade unions face in organizing migrant (domestic) workers. However, our focus in this article lies on policies, practices, and subjectification processes, which may

be said to influence and precede such issues. Hence, we take our main inspiration from other sources.

A comprehensive body of international literature addresses the working conditions of migrant domestic workers. This literature focuses on aspects such as working hours, tasks, and relationships to employers and to the workers' families in their country of origin (e.g., Parreñas 2001; Anderson 2002; Piquero-Balleascas 2009; Liebelt 2011). Like a growing number of other researchers trying to understand the phenomenon of au pairs (see, e.g., Øien 2009; Sollund 2010; Stenum 2010; Anving & Eldén 2016), we see clear parallels from this body of literature to the situation of Filipino au pairs in the Nordic countries. Au pairs can be seen as one of many groups of disadvantaged and exploited migrant domestic workers from the global south (Bikova 2015). Like migrant domestic workers in general, au pairs find themselves in a precarious situation due to their immigration status as temporary residents, and they experience problems with inappropriate tasks, working hours, payment, and lack of protection as workers (Calleman 2010; Stenum 2011; Cox 2015).

A key point in this literature is that domestic work is generally devalued and regarded as 'non-productive' work, adding no value in itself. Furthermore, migrant domestic workers, who are most often female and from the global south, are positioned at the bottom of gender and racial hierarchies, which adds to the devaluation of their work (see, e.g., Gutiérrez-Rodríguez 2010). Again, clear parallels can be drawn to the situation of the predominantly female au pairs from the Philippines, whose work has been described as positioned in a dichotomy between work and nonwork (cultural exchange) (Anving & Eldén 2016).

A further important point from this field is a critique of more general theories of migration for overlooking the complicated gendered and racialized subjectification processes involved in transnational migration (e.g., Gutiérrez-Rodríguez 2010: 30). Researchers have shown how the increased demand for migrant domestic workers in the global north relies on stereotypically gendered and racialized constructions of women from the global south. They are seen as particular kinds of workers, who, besides being inexpensive, are also supposedly submissive, hardworking, and family-oriented – all virtues that in the eyes of employers make them attractive as domestic workers (Constable 1997; Anderson 2002; Lan 2002).

Researchers specifically concerned with migrant domestic workers' prospects for organizing and negotiation of working conditions have shown how constructions of domestic workers as those mentioned above often also draw on notions of women as secondary wage earners, who are less likely to demand higher wages or engage in trade union activities and organization (Guevarra 2010: 9). Furthermore, on a global scale, domestic work is one of the least regulated areas of work and is characterized by individual employment contracts and few or no rights (Yeates 2004: 381). These characteristics affect the work execution, the nature of the problems migrant workers face, and the possibilities of organization and negotiation for their rights. These characteristics, as well as a disinterest in migrant domestic workers in some parts of the western trade union movement, have led some researchers to regard migrant domestic workers as invisible (e.g., Peterson 2007). Not only are less than 1% of the world's domestic workers organized, but their isolated working conditions also entail that they are often regarded as unorganizable (Ally 2005: 187).

Some research has been conducted relating to migrant domestic workers who have actually organized in trade unions or NGOs and obstacles to organizing specifically this

group have been noted (e.g., Kraamwinkel 2016). Their immigrant status leaves them excluded in many ways, including from many unions. Operating on a national level, unions can tend to show more solidarity with workers holding a citizenship than with migrant workers, which may create tensions and preferential treatment (Albin 2014). This lack of citizenship and recognition can also prevent migrant domestic workers from being devoted to unions (Albin & Mantouvalou 2016). The nature of domestic work – especially for live-in workers – with long working hours any time of day also leaves little time for organizing and/or union activities (Ford 2004; Mundlak & Shamir 2014) and tends to challenge the sustainability of such initiatives when they do take place (Jiang & Korczynski 2016). Furthermore, ‘worker identity’ (or lack thereof) among migrant domestic workers affects their prospects for organizing and negotiating working conditions, as being ‘part of the family’ and the connotations of domestic work with the identity of a ‘servant’ with loyalty, obligation, and patronage as key elements can veil the employer/employee relationship (Jiang & Korczynski 2016: 817).

Previous research on migrant domestic workers and au pairs thus draws a picture of a group facing difficult circumstances when it comes to organizing and negotiating working conditions. These difficulties relate to the nature of domestic work and their isolated working conditions, but many studies also point to issues regarding the subjectification, positioning, and construction of migrant domestic workers and their identities as (non-)workers as a particularly significant obstacle. In the following, we will present an analytical framework that may improve our understanding of these very issues.

Analytical Framework

The specific theoretical approach, which we suggest can improve our understanding of au pairs’ situation and prospects for negotiation and organizing, is based on the scholarship of Michel Foucault as well as subsequent scholars developing his concept of governmentality. The governmentality literature contributes with a special attention to the complicated subjectification processes in which au pairs find themselves in the transnational government of migration between the Philippines and Denmark (see also Stenum 2012; Lippert & Pykkönen 2012).

In his analysis of the emergence and characteristics of contemporary forms of government, Foucault coins the term governmentality and describes it as referring to an ‘ensemble’ ‘... formed by the institutions, procedures, analyses and reflections, the calculations and tactics ...’ (Foucault 1991: 102), which together allow the exercise of a complex form of power, targeting populations, and individuals within these (Foucault 1991). Mitchell Dean has later explained governmentality as: ‘How we think about governing others and ourselves in a wide variety of contexts’ (Dean 2010: 267). The concept of governmentality thus directs our attention to modes of thinking of government – often spoken of as ‘governmental rationalities’ or ‘rationalities of government’ (Gordon 1991).

We will show how Philippine and Danish migration policies and practices are informed by specific rationalities of government and as a diverse governmental ensemble draw on what Foucault termed a “conduct of conducts” and a management of possibilities’ (Foucault 2002: 341). The term ‘conduct of conducts’ is intimately related to the Foucauldian understanding of power and the exercise hereof. In contrast to classical understandings of power, Foucault does not see power as substantial – something that

may be possessed by individuals – and his interest is not in the sources or distribution of power. In Foucauldian terms, power should not be seen as a determining superstructure. Rather, power is seen as relational, as an omnipresent dimension of all relationships. He thus draws our interest toward questions of *how* power is exercised and what happens when individuals or groups exercise power over others (Foucault 2002).

Furthermore, an important facet of this understanding of power is that power is seen as productive rather than inherently repressive – the exercise of power structures ‘the possible field of action of others’ (Foucault 2002: 341), and government in this sense becomes a question of shaping, guiding, and affecting the conduct of others (Gordon 1991). This process is often also described as ‘governing from a distance’ and ‘governing self-government’ – a mode of government, which can be seen as prominent across our contemporary world (Rose 1999; Dean 2010), and which we will illustrate is also at play in Philippine and Danish migration policies and practices.

The governmentality perspective is thus concerned with the exercise of government, through what may be called processes of subjectification – the making of subjects. In these processes, freedom plays a central role, as freedom and power are mutually dependent. Governing in the form of a conduct of conducts and promotion of self-government involves acting upon the actions of others, and thus these others must possess the freedom to act. In Foucauldian terms, if the subject to be governed is not free, the relationship is not a power relationship, but instead an instance of domination or constraint (Foucault 2002). Rose has explained this as follows: ‘To govern humans is not to crush their capacity to act, but to acknowledge it and utilize it for one’s own objectives’ (Rose 1999: 4). Important in relation to our interest in au pairs’ prospects for negotiation and organizing, this intertwinement of power and freedom is what makes resistance to specific governance-attempts possible. Without the subjects’ freedom to act perhaps a little differently than the governor’s intention, there would be no power relation in the first place (Foucault 2002).

A related way of grasping this simultaneity of government and freedom in processes of subjectification can be found with Davies and Harré (1999[1990]) in their description of how subject positions are formed in discursive practices. They describe how discourses and discursive practices – in our case expressed through specific rationalities and practices of government related to au pair migration – gain a constitutive force by providing specific subject positions, entailing certain rights and duties, to specific groups of people. However, they underline that people are at the same time capable of exercising choice in relation to those practices because there are always many and contradictory discourses and discursive practices that a person can engage in.

This theoretical framework focuses our analytical attention on the following main points of inquiry:

- (1) How specific rationalities of government are expressed in Philippine and Danish migration policies and practices, and how these promote specific subject positions to au pairs.
- (2) How au pairs individually and collectively act both in accordance with and against these attempts of government when navigating their situation.

Before we proceed to illustrating how these points of inquiry may lead to new understandings regarding au pairs’ prospects for organizing and negotiating their working conditions, we will describe our methodology in brief.

Methodology

The two points of inquiry presented above call for different types of empirical material collected in different sites. Inspired by Shore and Wright's (2011) concept of 'anthropology of policy', we thus draw on multifaceted empirical material collected in both the Philippines and Denmark.

Our exploration of the first point is based on collection of relevant policy documents issued by Philippine and Danish authorities and on interviews and participant observations carried out as part of a large ethnographic study by the authors in the Philippines in 2012. From this study, we draw on participant observations from a one-day 'Pre-Departure Orientation Seminar' (PDOS) for au pairs bound for Norway, Denmark, Canada, and Switzerland and on interviews with two representatives of Philippine government agencies concerned with labor migration, the Philippine Overseas Employment Administration (POEA) and the Overseas Workers Welfare Administration (OWWA). Furthermore, we draw on insights from previous research on migration policies and practices in the two countries.

To explore the second point, we draw on three group interviews with six au pairs working in Denmark, also conducted in 2012. Contact to four of the interviewees was obtained through the Danish trade union FOA - Fag og Arbejde (FOA). Since 2011, FOA has been organizing au pairs and together with two Christian organizations been running 'Au pair Network', an organization providing information, counseling, legal help, social and professional activities to au pairs in Denmark. The other two interviewees were recruited through contacts made in the Philippines. We also draw on observations from a meeting of the au pair section in FOA and on statistics on au pair complaints and enquiries kept by them.

We cannot claim that our empirical material, especially the interviews and observations, is representative for the experiences of Filipina au pairs such as in Denmark and other Nordic countries in general. This is partly due to the limited number of au pairs interviewed and observed, partly due to an over-representation of au pairs who have organized in a trade union (which is not the general case), and partly due to the interviews and observations being conducted 7 years ago. Despite this lack of representative value, we find that the material still lends interesting insights sufficient for our purposes in this article – to illustrate the potentials of the presented analytical framework.

Our analysis of the empirical material was conducted in an iterative process where the entire material was read several times, focusing on the above-articulated points of inquiry. Inspired by Dean's (2010:37ff) approach to analyzing regimes of government, we posed some more specific questions to the material. When looking for expressions of rationalities of government, we asked what assumptions and problematizations underpinned the studied policies and practices. When looking for the promotion of specific subject positions to au pairs in the policies and practices, we asked what orientations, characteristics, and capabilities were expected of and sought promoted in migrant workers/au pairs. Moreover, when looking at au pairs' individual and collective agency in navigating their situation, we asked how they identified with and against the promoted subject positions in their various strategies to cope with and challenge their precarious working conditions. Through this process of reading and rereading through different lenses, an 'analytical re-description' (Phillips & Jørgensen 2002) of the material was produced and is presented in the following sections.

Government of au pair migration – Labor export and cultural exchange

The governmental rationalities expressed in Philippine and Danish policies and practices concerning au pair migration together promote complex and contradictory subject positions for au pairs. In the following, we will first zoom in on Philippine policies and practices focused on au pairs as part of an extensive labor export program but also on efforts to protect migrant workers. We then turn to the less extensive Danish policies and practices, which understand au pairs as both workers and part of a cultural exchange program.

Institutionalized labor export

The Philippines is one of the world's largest labor exporting countries and has a highly institutionalized labor migration process (Guevarra 2010: 3). This process has been highlighted by, for example, the International Labor Organization (ILO) as an example of best practice in the management of migration (Martin et al. 2004). Since the 1970s, labor migration has become institutionalized through official economic development policies (Bello 2009: 10), as well as through establishment of a number of government institutions dealing with migration, such as POEA, OWWA, and the Commission on Filipinos Overseas (CFO). Furthermore, the migration process is subject to certain regulations, for example, prospective migrant workers must undergo a health check and attend a PDOS or a Country Familiarization Seminar (CFS).

Labor migration plays an important role in the Philippine economy and society, which is evident by the number of labor migrants and their remittances. In 2015, about 10.2 million Filipinos worked abroad (CFO 2017) and in 2016, migrant workers remitted \$26.9 billion (Inquirer.net 2017), corresponding to around 10% of the Philippine GDP (World bank 2016). In relation to this, a number of researchers have shown how today's Philippine migration policies and practices are informed by a specific rationality. This is based on the idea that migrants, and especially their remittances, will rescue the Philippine economy (Bello 2009: 11; Guevarra 2010: 30ff). This rationality contributes to legitimizing that the Philippine state plays an active role in brokering and marketing Filipino labor and constantly seeks to maintain and add new markets to its labor export program (Rodriguez 2010).

National heroes who are willing to work and support their families

The need for a constant flow of remittances has created an incentive for the Philippine government to establish strong ties between Filipino labor migrants and the Philippine State. One example of this is the Philippine state's construction of migrant workers as the nation's modern-day heroes, *bagong bayani*. A discourse introduced by former president Corazon Aquino in 1988 (Guevarra 2010: 33) and which today is maintained not only in the media, campaigns, and political speeches, but is also institutionalized through, for example, the Bagong Bayani Award. This award is given to migrants: 'who continue to help our country through the years with their tireless efforts, donations, taxes,

and remittances' (Executive Order no. 498, 1991). Furthermore, through celebrations of 'Migrant Workers Day', 'Migrant Heroes Week', and 'Month of Overseas Filipinos' (Republic Act 8042, 1995: sec. 39; Rodriguez 2010: 78; Proclamation no. 276, 1988), the state carries out activities: 'to give recognition to Filipinos abroad and to encourage their participation in development activities in the country...' (CFO 2010: 15). Migration is thus connoted with greatness and heroism. However, the heroic deed involves certain obligations as, for example, sending home remittances. In order to ensure that migrants are able to remit, the state teaches prospective migrant workers how to manage their finances, with a view to the future. In one of our interviews, a director at the government agency POEA, explained:

'... we have the national reintegration center, which teaches the Filipino migrant, even before he leaves the Philippines, to think forward and know his goals in terms of finances'.
(Interview POEA)

In addition to this, the Philippine state has a wide range of reintegration programs where former migrants can, for example, get inexpensive loans to start up a business in the Philippines (CFO 2010: 200f).

The notion that a Filipino migrant is expected to plan his or her finances is also evident at the PDOS, which all future migrant workers must attend. At the observed PDOS for au pairs, several teachers told participants that they should prepare 'family and life goals' and make a plan indicating when they would be able to pay for the education of children in the family, buy a house, and start up a business (Observation notes, PDOS). Migrant workers are presented with the idea that not only will they be the breadwinner of their entire family, who can send the family's children to school, but labor migration is also represented as the only way for them to fulfil their dreams of a better future. These practices have clear connections to the governmental rationality concerned with labor export and its role in the Philippine economy.

This rationality of government relies on a subjectification of migrant workers as docile, obedient, and willing to work. This desired subject position is evident in 'the Code of Discipline for Overseas Filipino Workers' issued by POEA. The code states that a Filipino migrant worker should behave: '... in the most professional, responsible and ethical manner in the performance of their duties..' and maintain a "high level of professionalism and productivity in the performance of contractual obligations..." (POEA 2016: 65). Migrants need to do their work efficiently and productively (Interview POEA). During the PDOS for au pairs, productivity was also a central concept in the explanation of what a 'good, healthy migrant' is expected to do abroad:

'This kind of OFW [Overseas Filipino Worker], this kind of migrant, will generally be successful in his endeavors. Will generally be participative. Will be productive. And this is what is being demanded of you. Produce, to be productive as an OFW'. (Observation notes, PDOS)

During the same PDOS, it was also highlighted that, as future au pairs, participants must show a willingness to work so that the employer would not regret that they chose a Filipino worker:

'It is important to show your employer – your host family – that you are prepared to do the job there. So the first impression should be that the employer was not mistaken in choosing you'. (Observation notes PDOS)

Besides capabilities such as being productive, efficient, and willing to work, the presentations at the PDOS also highlighted a wide range of other capabilities that are desirable for migrant domestic workers to comply with in order to 'Be an ambassador of goodwill' (Observation Notes, PDOS). They should be 'A Gentleman'; 'A Team player'; 'Flexible'; 'Friendly' and show 'Hospitality' (Observation notes, PDOS).

Philippine migration policies and practices thus seek to shape and market a special type of labor migrant to employers, and in this process, au pairs are sought subjectified as 'ambassadors of goodwill' for Filipino labor power in general. The construction of au pairs apparent in the quotes and observations above are similar to the stereotypical constructions of women from the global south as particular kinds of self-sacrificing, docile, hard-working, and family-oriented workers mentioned earlier. These efforts to create and market a specific type of migrant worker set expectations for the behavior of prospective migrants and thus contribute to their subjectification.

Working conditions as an individual problem

While the Philippine state works to ensure a sustained and preferably rising export of workers, it must also ensure that these workers have decent working conditions, and that their rights as workers are not violated. This latter imperative has resulted from intense public debates, criticism, and mobilization by NGOs and trade unions, sparked by reports of ill-treatment of migrant workers abroad and certain high-profile cases (Rodriguez 2010). The protection and welfare of migrants are handled through a variety of programs and techniques such as bilateral agreements with receiving countries, establishment of minimum requirements, and approval of all work contracts. This work is mainly done by the state institutions POEA, OWWA, and, in relation to au pairs, by CFO.

Within this framework, the Philippine government highlights professional skills as the best protection of migrants' rights. This is for instance evident in Republic Act 8042:

'The State recognizes that the ultimate protection to all migrant workers is the possession of skills. Pursuant to this and as soon as practicable, the government shall deploy and/or allow the deployment only to skilled Filipino workers'. (Republic Act 8042, 1995:sec. 2)

As part of the approval procedures, a prospective labor migrant must thus pass a 'skills test' at an authorized 'skills-testing center' before he or she can be allowed to go abroad to work (POEA 2016: 17).

Besides a political desire to optimize migrants' skills and capabilities, the focus on skills implies that the protection of rights is ultimately transferred to the individual migrant, who in this process also becomes accountable. When professional skills become the migrant's best protection, it also becomes the responsibility of the migrant to possess these capabilities.

The focus on professional skills is combined with a requirement that the migrant reflects on him or herself, his or her skills, as well as his or her physical and mental health. The migrant is thereby thought to be in a position to control his or her own security and working conditions. The representative of POEA explains this:

‘Another consideration could be the skills that you have. The education and qualifications, if you are qualified, because when there is a job opening there is always the qualification requirements like experience, skills, knowledge and there is also the part on physical, mental and emotional capability. So you have to evaluate yourself’. (Interview POEA)

Individualization, accountability, and demands for self-reflection can be seen as a way to encourage migrants to self-govern. Through constant evaluation of their own skills, as well as physical and mental health, migrants are sought governed as autonomous and accountable subjects, who by virtue of their own choices can be made accountable for their behavior and welfare. The question of workers’ accountability is emphasized by the interviewed representative of OWWA:

‘... Filipinos should have accountability to themselves. When they leave the country, they should be accountable to themselves and they should know what they are facing’. (Interview OWWA)

When professional skills and self-reflectivity are presented as the best protection of migrants, and the responsibility for possessing these skills is individualized to the migrant, this can be seen as an attempt to responsabilize the individual for governing his or her own protection. If you do not feel secure enough, you can always try to improve your professional skills, or perhaps you did not self-evaluate enough before departing.

The focus on skills and self-reflectivity as protection is combined with an emphasis on individual coping strategies as the acceptable way for migrant workers to respond to poor working conditions. At the PDOS for au pairs, participants were, for example, engaged by a presenter in a long discussion about acceptable coping strategies. Some participants suggested that going out and making new friends could be a strategy, which could help them tackle poor working conditions. This idea was rejected as a possible coping strategy by the presenter, who instead emphasized that praying to God, reading, listening to Filipino music, calling your family, journal writing, watching TV, learning new skills, and improving your English would be good and acceptable coping strategies (Observation Notes, PDOS). In addition to individualizing the responsibility for good working conditions to the individual migrant, these coping strategies also help reproduce the positioning of the Filipino migrant worker as docile, obedient, and productive. If you experience problems as a migrant, you should handle these, not by seeking help, talking to friends, or submitting complaints, but by praying to God, reading, watching TV, or training your skills.

The Philippine state thereby solves the dilemma of both needing to secure migrant workers’ rights and working conditions and also needing to secure the continued successful export and marketing of its workers, by seeking to shape migrant (domestic) workers as individual and accountable subjects, who resolve any work-related problem themselves.

Work or cultural exchange?

Danish policies and practices in the field of au pair migration are less extensive and institutionalized than those illustrated above. They are related to the European au pair program, based on a Council of Europe Convention of 1967. In 2016, Denmark issued 1349 au pair permits of which 80% were given to Filipinos (Udlændingestyrelsen 2017: 3).

The au pair program is a small window allowing non-EU labor migrants to access an otherwise quite closed labor market, and in line with a generally restrictive migration policy, au pairs can only gain temporary residence permits (up to two years), and their residence is tied to their having a contract with a host family. Furthermore, they are met with very specific demands as to their age and personal circumstances:

‘You must be at least 18 years old, but you must not have turned 30.
You must not have started a family:

- You must not be or have been married, be or have been in a stable cohabitating relationship or be or have been in a civil partnership.
- You must not have children.
- You must not be expecting a child unless you are already staying in Denmark as an au pair and [you wish] to change your host family’. (nyidanmark.dk)

Au pair means ‘on equal terms’, and the emphasis on the purpose of the au pairs’ stay in official documents is represented as: ‘for the au pair to improve language and/or professional skills as well as broaden his/her cultural horizon’ (nyidanmark.dk). The au pair is thus constructed as a young student, curious of Danish culture and language, without familial obligations. The au pair’s position in the host family is further explained in the following manner:

‘By taking part in the daily life of the family on the same terms as the other family members, you can gain the desired insight into Danish culture.

The host family will give you food, accommodation and a monthly allowance (pocket money). In return, you must take part in ordinary domestic chores’. (nyidanmark.dk)

However, while the au pair is described as ‘on the same terms’, the arrangement also involves an exchange of domestic services in return for remuneration in the form of room, accommodation, ‘pocket money’, and the desired insight into Danish culture. In this sense, the au pair arrangement resembles an employment relationship, and this is subject to certain regulations by the Danish authorities. In 2019, the minimum amount set for ‘pocket money’ was DKK 4350 per month. The daily hours of work were maximum 5 hours per day, that is, 30 hours per week, and the au pair had to have at least 1.5 full day off per week. Furthermore, in relation to both taxes and holidays, the arrangement is considered an employer/employee relationship and is subject to the applicable Danish rules (nyidanmark.dk).

Au pairs and the status of their work are thus subject to contradictory expectations and regulations in Denmark, a situation also seen, for example, in Sweden (Anving & Eldén 2016). And au pairs’ work is not considered ordinary work – even though both

au pairs and host families tend to see it as such, and parts of the legislation treat it as work (Hansen 2010: 223; SFI 2013: 10). In line with other research on migrant domestic workers (Jiang & Korczynski 2016: 817), we thus see a veiling of the employer/employee relationship. Danish migration policies and practices toward au pairs promote a contradictory subject position for au pairs, as the au pair arrangement not only contains an informal, familial dimension where the au pair is ‘one of the family’ and a ‘young, unattached student of Danish culture’, but it also contains a more formal dimension, which creates a subject position for the au pair as an employee subject to certain regulations and protections.

Contradictory positioning

To sum up, Filipino au pairs entering the Danish labor market are subject to diverse and contradictory subjectification attempts through both Philippine and Danish policies and practices. They are constructed as national heroes and family breadwinners planning for the future; as productive, willing, docile, and obedient ambassadors of goodwill for Philippine labor power; and as individually accountable, skilled workers responsible for their own destiny. But they are also constructed as curious young students of Danish culture and language; as one of the family (though without their own family obligations); and as temporary workers hired to perform domestic chores with somewhat regulated working conditions. This multiplicity of subject positions forms a contradictory backdrop for au pairs’ positioning in the Danish labor market and for their prospects for negotiation and organizing to improve their working conditions.

Navigating as an au pair in Denmark

We will now draw on our study of au pairs in Denmark to illustrate how au pairs navigate their situation in light of the multiplicity of subject positions described above. Even though it is clear in our study that many au pairs simply accept poor working conditions, many also attempt to change these conditions by way of different strategies.

We manage by speaking up and changing host family

An increasing number of au pairs speak up and seek advice regarding breaches of their contracts and poor working conditions. This is evident in the number of inquiries that FOA receives through the au pair network. From 2015 to 2016, the au pair network experienced an increase in inquiries from au pairs. Questions regarding nonpayment of salary/pocket money for instance doubled from 305 enquiries in 2015 to 602 enquiries in 2016. Other topics have also seen increases, for example, working hours/days off/holidays, which grew from 283 to 423 (FOA 2017: 1). We have no reason to think that these numbers reflect a sudden and dramatic worsening of au pairs’ working conditions. More likely, these numbers indicate that au pairs in Denmark are not only beginning to challenge the notion of cultural exchange by regarding the au pair program as a work relation, but they also speak up and collectivize their problems by turning to a trade

union to receive help. These actions challenge the promoted subject position as docile ‘ambassadors of goodwill’, behaving ‘in the best manner of a Filipino’ and using individualized coping strategies.

However, it is also evident that the temporariness and uncertainty of the au pair program affect au pairs’ opportunities to pursue a case against a host family, which does not comply with the au pair contract. If an au pair complains about his or her working conditions, she risks the host family terminating the contract. The fact that being thrown out by a host family is a real risk is again evident if we look at the number of enquiries that FOA receives in relation to eviction – in 2015, it was 232, and in 2016, it was 282 (FOA 2017: 1).

The risk of contract termination means that rather than turn to the authorities or FOA with a complaint, many au pairs choose to handle problems with the host family themselves. One of our interviewees, Camille, explained that she knew some au pairs who were afraid of complaining:

‘They need to support their family and they are very afraid to lose the job; they are very afraid to file a case because what if they lose the case? They won’t risk that much and it is a Filipino attitude to be patient, and if they can still manage it, they will. They will really work hard and manage how the host will treat them’. (Interview Kate and Camille)

This course of action is very much in line with the individualized self-protection strategies promoted in Philippine migration policies and practices. The au pair acts as a responsible worker, who is patient, does what he or she is told and takes responsibility for and can self-govern his or her working conditions.

Despite the risks and difficulties related to this, one of the ways in which au pairs are trying to govern their working conditions is by changing host family. Or as the au pair Kate says: ‘They [au pairs] fight for their rights by changing family’ (Observation notes FOA-meeting). This strategy is not only a way to change a current situation, but it can also be seen as a way to handle the risk of getting fired and creating more security in your employment. By simply changing to another family, the au pair takes action instead of waiting for the host family to be dissatisfied with her performance and terminating the contract. Satisfied host families are the best protection against temporary and uncertain working conditions and against the risk of getting fired.

These practices among au pairs contribute to nuancing the constructions of the obedient and willing to work Filipino migrant. The apparently accommodating behavior of au pairs toward demanding host families is thus not necessarily only the expression of a docile worker subjectivity but may also be seen as a strategy to handle and ensure conditions of employment. This also highlights how the temporary and uncertain conditions for residence permits influence and support individualization in relation to handling problems and poor working conditions.

Cultural exchange: confusion and opportunities

The fact that the au pair program emphasizes that the au pair is in Denmark on cultural exchange creates confusion about the rights of au pairs and about the subject position as a worker. On the other hand, it also creates possibilities for negotiating working conditions.

According to one of our interviewees, Christine, a former au pair who now works in FOA organizing au pairs, the au pair program creates confusion about rights and the au pairs' status as workers:

'The issue is our rights as an au pair here. Is that a comparison of our duty? We are [on] cultural exchange here, and in Hong Kong or in the Middle East, we are domestic workers and it is different'. (Interview Christine and Mary).

Christine's statement points out that while being a domestic worker is a clear subject position as a worker with related rights and duties, an au pair on cultural exchange cannot be entirely sure what to expect. According to Christine, the labeling of the au pair program as cultural exchange can mask the labor element of the program, thereby removing focus from labor rights and discouraging au pairs from speaking up and resisting infringements of their rights:

'So there are some [au pairs] who are only interested in social activities, parties like that. (...) They don't care about what their rights are, and the worst thing is that some of them are just hypocrites, because they say that we are here as cultural exchange, so even though they have already experienced abuse, they just try to hide it'. (Interview Christine and Mary)

The fact that the au pair program is officially a cultural exchange program creates uncertainty about the rights and obligations of au pairs and conceals the fact that au pairs perform a real job and that some au pairs experience abuse. Au pairs are in this manner positioned as nonworkers – a position where demanding workers' rights does not appear as an obvious course of action. The Danish au pair program is in this way supportive of Philippine policies and practices in creating a subject position where au pairs are to be docile in relation to the employer.

However, the notion of cultural exchange may also provide opportunities for some au pairs. For example, Camille, who at the time of our interview had worked as an au pair in Denmark for 8 months and had experience as an au pair from another European country, explained that when she talks to a potential host family, she highlights the cultural exchange aspect and emphasizes that she is not a regular domestic worker:

'... and about the cleaning I told them that I'm not really used to cleaning. I used to live alone, and I cleaned my own place, but to clean really hard - I'm not used to that, and so I told them'. (Interview Kate and Camille).

By telling the host family that she had her own apartment in the Philippines and that she is not used to cleaning, Camille is using the cultural exchange narrative as an opportunity to create a different subject position than the poor 'third world' domestic worker eager to put in hard work. The position as an independent woman 'on cultural exchange' gives her a better strategic position when negotiating both working hours and tasks.

The cultural exchange-label is thus Janus-faced and may present both an obstacle and an opportunity for negotiating and bettering working conditions for au pairs.

I always say yes. I have never told them no

The ability to stand up for one's rights and negotiate working conditions as an au pair in Denmark is also influenced by the fact that au pairs live with and have an intimate relationship with the host family. Jane, who had worked in Denmark for four months when we interviewed her, highlighted that the intimate relationship with the family she worked for and the experience of them as sweet and kind made it difficult for her to say no to tasks:

'Jane: I always say yes. I have never told them [the host family] no. Even if I'm so tired, I say yes.

Interviewer: Why is that? Why can't you say no?

Jane: She [the host mom] is just so nice and we came here to work, and our work is au pair, so I think that you know your obligations and responsibilities. So it is okay'.
(Interview Jane and Angela)

The intimate relationship with the host family and the experience of them as sweet interacts with the subject position as responsible, docile, and willing to work. The obligations and responsibilities for doing well as a migrant, that is, being a productive and willing worker, influence Jane's ability to set boundaries, and say no to tasks. She finds that she is in Denmark to work and to show that she is a good migrant, and the intimate relationship with the family makes it even harder for her to say no and to negotiate her working conditions.

The close relationship to the host family also affects the opportunities of au pairs in relation to participating in union organizing. Christine explains that there are host families who do not like that au pairs are organizing, and some families have forbidden their au pair from participating in activities organized by FOA (Observation notes FOA-meeting). Camille says that at first, she did not tell her host family that she was a member of FOA:

'First, I didn't tell them that I'm a member of FOA, of the au pair [section], I just told them that I have this au pair network. I didn't tell them that it is FOA and they just found out because of all the letters in the mailbox, and then they knew about it and they just accepted it'. (Interview Kate and Camille).

Camille was happily surprised by her host family's acceptance. Studies show that the construction of the au pair as 'part of the family' can result in host families interfering in everything from the au pair's eating habits, personal hygiene, and opportunities for contact with others outside the family (e.g., Hess & Puckhaber 2004: 77). Personal issues can thus be an object of regulation and control by the host family. This also applies to issues related to participating in union activities where the host family's acceptance or ban in some cases can be crucial.

The intimate relationships and the fact that the au pair lives with the host family can thus underpin Philippine migration policies and practices and their aims of shaping migrant domestic workers as docile workers, making it difficult for au pairs to object to poor working conditions or organize in a union.

Multiple positionings and strategies

The examples of au pairs' attempts to resist, negotiate, and organize to improve their working conditions given above on the one hand illustrate the constitutive force of the subjectification attempts inherent in Philippine and Danish migration policies and practices toward au pairs. The construction of Philippine labor migrants as docile, obedient, and willing workers, coping individually with their troubles and the notion of au pairs as part of the family impose limits on au pairs' agency in terms of improving their conditions. On the other hand, au pairs also show themselves capable of exercising choice in relation to their positioning and thereby taking advantage of the complex and contradictory constructions of the au pair inherent in the described migration policies and practices. The increasing numbers of enquiries about rights with FOA and au pairs' membership of the trade union indicate that some at least take up a subject position as workers with rights. Furthermore, more subtle strategies, such as choosing to change host family, may also be seen as an attempt to negotiate and change precarious and poor working conditions instead of just accepting them. Lastly, the positioning of au pairs as being on cultural exchange appears to contain both limitations and possibilities – for some, it led to passivity and acceptance of poor conditions, but we also encountered an example of its strategic use to negotiate working hours and tasks.

Concluding discussion

Our use of the presented analytical framework to examine the subjectification of au pairs and their related prospects for negotiating and organizing to improve their working conditions has illustrated that migration policies and practices in both the Philippines and Denmark entail specific governmental rationalities, which shape au pairs' possibilities, but yet do not determine these entirely. The multiplicity of partly contradictory subject positions entailed in these attempts at government may also lend opportunities for au pairs to resist their poor working conditions. The theoretical framework allows us to capture this dynamic and prevents a simplistic representation of au pairs as merely passive victims of transnational policies and subjectification attempts – they can be expected to be influenced by these attempts, but not necessarily to conform and identify with the imagery of, for example, a docile, hard-working hero or a nonworker/student on cultural exchange.

Many au pairs experience difficulties challenging poor working conditions. However, where former studies underline the invisibility of migrant domestic workers and the many obstacles to organizing them, our study sheds light on a number of strategies employed by au pairs to negotiate and resist poor working conditions despite their difficult situation. We see both collective and individual attempts to negotiate and organize to improve working conditions. Naturally, the age, limited representativity, and size of our empirical material does not allow us to assess the current prevalence, efficiency, and sustainability of such strategies. More research is needed to fully explore the extent, character, conditions, and impacts of various forms of negotiation and organizing among au pairs. The presented approach may lay the ground for such further and more thorough examination of both the difficulties and opportunities for negotiation

and organizing that arise in the multifaceted and contradictory transnational attempts to govern au pair migration.

The analytical approach presented here may also lend itself to studies of other groups of migrant workers and their prospects for negotiation and organizing to improve their working conditions. We acknowledge that the Philippine case and the case of au pairs are in some manners unique or extreme in terms of the thoroughly institutionalized labor export program, the extensive engagement in subjectification of migrant workers, and the unclear status of au pairs as (non-)workers. Nevertheless, the analytical approach may still be applied to examine the specific governmental rationalities relevant to other sending and receiving countries and their subjectification efforts toward specific groups of migrant workers. The rationalities and subject positions at play may differ, but the attention to and exploration of these have a general relevance when exploring negotiation and organizing to improve migrant workers' conditions.

Furthermore, the insights and approach presented here could prove useful to groups engaged in helping, counseling, and organizing au pairs (and other migrant workers) to achieve improved working conditions. Hopefully, knowledge of the transnational subjectification processes pertaining to au pairs, and their influence on their prospects for both individual and collective negotiation and organizing, may help develop and improve these groups' strategies and activities. Trade unions holding a strong position in the Nordic labor markets and playing a significant role in improving working conditions might be expected to play a central role toward an obviously precarious group. However, the unclear positioning of au pairing between work and nonwork also seems to influence the willingness of trade unions to engage in this field, and FOA is to our knowledge currently the only Nordic trade union engaged in the area. Other actors such as NGOs and Christian organizations have engaged in the field with network activities and legal counseling (see, e.g., Løvdal 2015). Nevertheless, they cannot necessarily be expected to engage in traditional trade union issues such as negotiation of salaries and working time. Areas where improvements could indeed be made if au pairs are to be treated by normal standards in the Nordic labor markets.

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Note

- ¹ Integration Service of the Churches and Caritas Denmark.